IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HAKOMORI & HANDA

Application No. 10/669,264

Filed: 25 September 2003

For: CANCER-ASSOCIATED

CARBOHYDRATE VACCINES

Group Art Unit: 1645

Examiner: S. DEVI

Atty. Docket No. 116653-17

Customer No.

29180

29180

PATENT TRADEMARK OFFICE

PETITION FOR BENEFIT CLAIM UNDER 37 CFR 1.78

Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir:

Applicants respectfully request benefit be granted to the filing dates of prior applications in the family under 35 U.S.C. 120.

STATEMENT OF FACTS

- (1) The instant application is a continuation of U.S. Ser. No. 10/040,336 filed 9 January 2002, now abandoned.
- (2) U.S. Ser. No. 10/040,336 is a continuation of U.S. Ser. No. 09/696,213 filed 26 October 2000, now abandoned.
- (3) U.S. Ser. No. 09/696,213 is a continuation of U.S. Ser. No. 09/253,024 filed 19 February 1999, now abandoned.
 - (4) An Application Data Sheet reciting the above is attached hereto.
- (5) Continuity is proper, the inventorship and disclosure have not changed subsequent to the 19 February 1999 filing.
- (6) The entire delay between the date the claim was due and the instant petition was unintentional.

POINTS TO BE REVIEWED

The instant application is entitled to benefit of the filing dates of the previously filed applications in the family as noted hereinabove, in the attached Application Data Sheet and as recited in some submissions filed in the instant application. The instant Petition is directed to having benefit accorded to those prior applications. The requisite reference to the earlier applications, authorization for the surcharge and the statement as required under 37 C.F.R. 1.78(a)(3) are included in the instant Petition.

Applicants: Hakomori & Handa Application No. 10/669,264

Attorney Docket No. 116653-17

ACTION REQUESTED

Applicants respectfully request the instant Petition be granted, benefit under

35 U.S.C. 120 be accorded for the applications recited herein and in the attached

Application Data Sheet, and an Official Filing Receipt acknowledging the claim for

priority be issued.

CONCLUSION

Applicants respectfully request benefit be accorded to the previously filed

applications in the family.

The Commissioner hereby is authorized to charge Deposit Account No. 02-1818

for the requisite surcharge fee under 37 C.F.R. 17(t), as well as any other necessary

fees.

Favorable consideration, granting of the instant Petition and issuance of a new

Official Filing Receipt acknowledging the benefit claim are requested respectfully.

Date: 9 July 2007

Respectfully submitted,

Dean H. Nakamura

Registration No. 33,981

Bell, Boyd & Lloyd

1615 L Street, N.W.

Suite 1200

Washington, D.C. 20036

Telephone: (202) 955.6851

Facsimile: (202) 835.41437

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